

	STANDARD OPERATING PROCEDURE State Form 39870(R/S-06)	Reference Number INV-005
	Subject Missing Persons – Child or Adult	
	Special Instructions Replaces INV-006 dated January 15, 2015	Effective Date July 3, 2019

I. PURPOSE

Establish guidelines for reporting and investigating a missing child or adult.

II. POLICY

The Department shall immediately investigate (within the guidelines of this procedure) or cause to be investigated all complaints of a missing child or endangered adult.

III. APPLICABLE FEDERAL and STATE CODES

A. [Federal Code Title 42 \(National Child Search Assistance Act of 1990\)](#), as it applies here, mandates law enforcement officers to:

1. Immediately accept a complainant's report of a missing child (person under 18 years old);
2. Immediately enter a missing person record into IDACS and NCIC;
3. Make details of the missing person report available to the Indiana Clearinghouse for Information on Missing Children and Missing Endangered Adults;
4. Verify and update the record with medical and dental information, if available, within 60 days after the original record was entered;
5. Institute or assist another agency with an appropriate search and investigation (if needed); and
6. Maintain a close liaison with the National Center for Missing and Exploited Children.

B. [Indiana Code 10-13-5-4](#)

"Missing Child" means a person less than 18 years of age who is believed to be:

1. A temporary or is believed to be a permanent resident of Indiana;
2. At a location that cannot be determined by the child's parent or legal custodian; and
3. Has been reported missing to a law enforcement agency; or
4. A victim of a criminal offense of criminal confinement or interference with custody.

C. [Indiana Code 10-13-5-4.4](#)

“Missing Endangered Child” means a missing child who is believed to be incapable of returning to the missing child’s residence without assistance because of:

1. Mental illness;
2. Intellectual disability; or
3. Another physical or mental disability

D. [Indiana Code 10-13-5-5](#) and [Indiana Code 10-13-5-6](#):

These codes mandate that the Indiana Clearinghouse for information on missing and missing and endangered adults (Clearinghouse) is established within the state police department and that it shall serve as the state central repository for all information on missing children.

E. [Indiana Code 31-36-1-1](#):

This code mandates that all law enforcement agencies prepare a report on a missing child. The report shall include:

1. A physical description;
2. The date and place (city and state) of birth; and
3. The name and address of the last school attended;
4. Information gathered by a preliminary investigation, if one was made;
5. A statement by the officer in charge of that officer’s assessment of the case.

F. [Indiana Code 31-36-1-2](#) and [31-36-1-3](#):

These codes mandate the required timeframe for preparing a report, beginning an investigation, and forwarding the report to the Clearinghouse as well as to other agencies when a child is missing.

Completing a report: The law enforcement agency receiving a report of a missing child shall prepare the report as soon as practicable, but not later than five (5) hours after the law enforcement agency received the notification about a missing child. However, a law enforcement agency is not required to prepare the report, required under this statute, earlier than twenty-four (24) hours after the law enforcement agency received the notification about a missing child if:

- (1) The law enforcement agency received a previous, unrelated notification that the child was missing; and
- (2) The law enforcement agency has reason to believe that the child is missing because the child has committed a delinquent act under [IC 31-37-2-2](#).

G. [Indiana Code 12-10-18](#)

“Missing endangered adult” as defined in [IC 12-7-2-131.3](#) means an individual at least 18 years of age who is reported missing to a law enforcement agency and is, or believed to be:

1. A temporary or permanent resident of Indiana.
2. At a location that cannot be determined by an individual familiar with the missing individual.
3. Incapable of returning to the individual’s residence without assistance by reason of:
 - (a) mental illness;
 - (b) intellectual disability;
 - (c) dementia; or
 - (d) another physical or mental incapacity of managing or directing the management of the individual’s property or providing or directing the provision of self-care.

H. [Indiana Code 5-2-17-1](#)

"High risk missing person" means a person whose whereabouts are not known and who may be at risk of injury or death. The term includes the following:

- (1) A person who is missing as the result of abduction by a stranger;
- (2) A person whose disappearance may be the result of the commission of a crime;
- (3) A person whose disappearance occurred under circumstances that are inherently dangerous;
- (4) A person who is missing for more than thirty (30) days;
- (5) A missing person who is in need of medical attention or prescription medication;
- (6) A missing person who may be at risk due to abduction by a noncustodial parent;
- (7) A missing person who is mentally impaired;
- (8) A missing person who is less than twenty-one (21) years of age;
- (9) A missing person who has previously been the victim of a threat of violence or an act of violence;
- (10) A missing person who has been determined by a law enforcement agency to be:
 - (a) at risk of injury or death; or
 - (b) a person that meets any of the descriptions in subdivisions (1) through (9);
- (11) A missing person who is an endangered adult (as defined in [IC 12-7-2-131.3](#)).

I. Delinquency

1. [Indiana Code 31-37-2-2](#) states that a child commits a delinquent act if, before becoming eighteen (18) years of age, the child leaves home or a specific location previously designated by the child’s parent, guardian or custodian:

- A. without reasonable cause; and
- B. without permission of the parent, guardian or custodian who requests the child’s return.

2. [Indiana Code 31-37-4-2](#) states that a child may be taken into custody by a law enforcement officer acting with probable cause to believe that the child has committed a delinquent act.

V. PROCEDURE

A. Missing Children: Upon report and verification that a child is missing:

1. A police employee shall be assigned to conduct the investigation;
2. A case report shall be drawn;
3. Immediately cause entries to be made into the Indiana Data and Communications System (IDACS) and National Crime Information Center (NCIC).

Each entry shall be periodically examined during the first 72 hours after entering the information to ensure validity, accuracy and to update any additional information.

B. Voluntary missing child (run away):

1. A case number for a missing child investigation shall be assigned upon receipt and verification of information from a parent, guardian or custodian that the child has run away;
2. The investigating officer shall gather comprehensive information about the disappearance through an in-person interview with the complainant to determine the urgency of the situation;
3. Runaways taken into custody by this Department will not be forced to return home if the child has a reasonable basis for so requesting (e.g. child exploitation, abuse, or being thrown out of the home). In the event the child is not returned, the responsible juvenile authority shall be contacted in order to get the authority's guidance and determination;
4. In either case, a 72-hour tickler file containing a hard copy of all missing person/runaway entries shall be maintained by telecommunications personnel for validation.

C. Missing Endangered Adult

1. When the Department receives notification from a reliable source, e.g. a guardian, custodian, caretaker, etc., that an endangered adult is missing, an investigation will be initiated as soon as practical, and if possible, not later than five (5) hours after being notified.
2. The investigating officer will complete a case report documenting all the steps taken during the investigation; in addition, all applicable law enforcement agencies within the vicinity of last known location of the missing person shall be notified. When applicable, the missing endangered adult should be entered into the IDACS and NCIC systems.
3. Refer to [CIS-005](#) regarding the possible issuance of a Silver Alert.

D. This procedure is to be used in conjunction with all relevant department regulations, rules, policies and procedures.